

ENVIRONMENTAL ASSESSMENT

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**LAUGHLIN LAND SALE
ENVIRONMENTAL ASSESSMENT
LAS VEGAS FIELD OFFICE**

EA NUMBER NV 055-2004-475

Serial Numbers N-78218, N-78852 through N-78901, N-78903, N-78904, N-78917, N-78933 through N-78950.

1.0 Proposed Action Title/Type

The Bureau of Land Management (BLM) proposes to hold a competitive sale of federally owned parcels of land in Laughlin, NV, aggregating approximately 2,058.19 acres. All sales will be conducted on June 15, 2005, in accordance with competitive bidding procedures. The sale will take place under the authority of Sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713 and 1719 *et seq.* (FLPMA).

1.1 Location of Proposed Action

The sale consists of 72 parcels ranging in size from 1.25 acres to 583 acres within the Laughlin disposal boundary which was established in the Las Vegas Resource Management Plan (RMP) signed on October 5, 1998. The legal description of the property is as follows:

Mount Diablo Meridian, Nevada

T. 32 S., R. 66 E.,

Section 08, Lots 2-5, 7-12, 14-18, 20-22, 24-29, 31-33;

Section 09, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$,

W¹/₂SW¹/₄SW¹/₄NW¹/₄NW¹/₄, E¹/₂SW¹/₄SW¹/₄NW¹/₄NW¹/₄, W¹/₂SE¹/₄SW¹/₄NW¹/₄NW¹/₄,
E¹/₂SE¹/₄SW¹/₄NW¹/₄NW¹/₄, E¹/₂NE¹/₄SE¹/₄NW¹/₄NW¹/₄, W¹/₂NE¹/₄SE¹/₄NW¹/₄NW¹/₄,
E¹/₂NW¹/₄SE¹/₄NW¹/₄NW¹/₄, W¹/₂NW¹/₄SE¹/₄NW¹/₄NW¹/₄, W¹/₂SW¹/₄SE¹/₄NW¹/₄NW¹/₄,
E¹/₂SW¹/₄SE¹/₄NW¹/₄NW¹/₄, W¹/₂SE¹/₄SE¹/₄NW¹/₄NW¹/₄, E¹/₂SE¹/₄SE¹/₄NW¹/₄NW¹/₄, N¹/₂SW¹/₄,
N¹/₂SW¹/₄SW¹/₄, W¹/₂SW¹/₄SW¹/₄SW¹/₄, SE¹/₄SW¹/₄SW¹/₄, W¹/₂SE¹/₄SW¹/₄, E¹/₂SE¹/₄SW¹/₄.

Section 16, NE¹/₄, W¹/₂SW¹/₄NW¹/₄, SE¹/₄SW¹/₄NW¹/₄, NE¹/₄SE¹/₄NW¹/₄, S¹/₂SE¹/₄NW¹/₄,
N¹/₂NE¹/₄SW¹/₄, N¹/₂SW¹/₄NE¹/₄SW¹/₄, SE¹/₄NE¹/₄SW¹/₄, N¹/₂NW¹/₄SW¹/₄, N¹/₂SW¹/₄NW¹/₄SW¹/₄,
N¹/₂SE¹/₄NW¹/₄SW¹/₄, S¹/₂NE¹/₄SW¹/₄SW¹/₄, SE¹/₄SW¹/₄SW¹/₄, NE¹/₄SE¹/₄SW¹/₄, S¹/₂SE¹/₄SW¹/₄,
SW¹/₄SE¹/₄, W¹/₂SE¹/₄SE¹/₄, E¹/₂SE¹/₄SE¹/₄.

Section 17, Lots 1-4, 6-21, 22, 25, 26-30, 32, 34-36.

1.2 Conformance with Applicable Land Use Plan

The subject lands are within the Laughlin disposal boundary established as suitable for disposal in the Las Vegas Resource Management Plan/Final Environmental Impact Statement (RMP/FEIS) approved on October 5, 1998. (See the Record of Decision, Lands Decision LD-1, page 18 of Appendix A of the RMP/FEIS). A copy of the RMP/FEIS is available on the BLM web site @ www.nv.blm.gov. It is also available for review at the BLM Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV.

This environmental assessment tiers to the 1998 RMP/FEIS, and incorporates relevant sections of the RMP/FEIS, where appropriate. BLM has used the most current information available to complete this analysis of the proposed action.

1.3 Need for the Proposed Action

BLM managed lands in the Laughlin Disposal Area are bordered on the east and south by urbanized private land. Disposal would allow the local governments to control, manage and regulate the future uses of these lands. This land disposal action would be used to accommodate urban development in the Town of Laughlin.

The unincorporated town of Laughlin and Clark County, together with BLM, selected public lands within the Laughlin disposal area to be offered for sale. This joint effort ensures that the disposal of public lands is consistent with local land use planning and would serve important public objectives. This process involves months of cooperative effort between BLM and these local governments whose proposed actions are based, in part, on nominations received from the general public and developers for parcels to be offered for sale.

Proceeds: Deposit of Proceeds – Notwithstanding any other law, the gross proceeds of the sale or exchange of public land under the Federal Land Transaction Facilitation Act of July 25, 2000

(hereinafter FLTFA) shall be deposited in a separate account in the Treasury of the United States to be known as the “Federal Land Disposal Account”.

Funds deposited into the Federal Land Disposal Account may be used as follows:

- Not less than 80% shall be used for acquisition of lands that are inholding within a certain Federally-designated area, or lands adjacent to Federally-designated areas and containing exceptional resources;

- Of the funds allocated for acquisitions, not less than 80% shall be expended in the same State in which the funds were generated. Up to 20% may be expended in any other State.

- Up to 20% may be used for administrative and other expenses necessary to carry out the land disposal program under the FLTFA.

The disbursement of funds from the Federal Land Disposal Account in Nevada is governed by the state-level Implementation Agreement. This Agreement was developed by the SNPLMA/FLTFA Partners Working Group and the SNPLMA/FLTFA Executive Committee. The State of Nevada receives 4% of the proceeds from the sale of the subject lands for educational purposes or for the construction of public roads; the Federal Land Disposal Account receives 96%.

At the national level, disbursement of funds is governed by the Interagency Memorandum of Understanding (MOU). All allocations of funds for acquisitions must be approved by the Secretary of the Interior and the Secretary of Agriculture.

Termination: The authority to deposit or expend proceeds under the FLTFA shall terminate 10 years after the date of enactment, or July 24, 2010.

1.4 Relationship to Statutes, Regulations and Agency Jurisdiction

The lands have been authorized and designated for disposal in the Las Vegas Field Office Resource Management Plan (RMP), dated October 5, 1998 and therefore, meet the disposal qualification of section 205 of the Federal Land Transaction Facilitation Act of July 25, 2000 (43 U.S.C. 2304). These lands are proposed to be put up for purchase and sale by competitive auction on June 15, 2005, at an oral auction to be held in accordance with Section 205 of FLTFA, the applicable provisions of Sections 203 and Section 209 of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1713 and 1719), respectively, and the implementing FLPMA regulations, 43 C.F.R. Part 2710 and Part 2720, at not less than the fair market value (FMV) of each parcel, as determined by the authorized officer after appraisal. The proceeds from the sale of the lands will be deposited into the Federal Land Disposal Account, pursuant to FLTFA.

1.5 Relationship to Community Development Plans –

The parcels of land nominated by the town of Laughlin and Clark County to be sold by the BLM are within the land encompassed by the following local land use plans:

- Laughlin Land Use and Development Guide, February 16, 1993
- Envision Laughlin Draft Report 2004
- Clark County 1988 Comprehensive Master Plan
- BLM Laughlin Land Sale Study

The public lands selected for disposal are consistent with the planning goals of local governments. Privatizing the public lands will assist the community and neighborhoods in fully realizing the objectives and policies as stated in these respective land use plans and study.

2.0 Proposed Action

BLM is proposing a competitive sale of public land consisting of 72 parcels for a total of 2,058.19 acres within the Town of Laughlin. The legal descriptions of the land are on pages 3 and 4. The proposed public auction date is June 15, 2005. The sale will be held at Laughlin Junior/Senior High School in Laughlin. Bidders must be qualified under 43 CFR 2711.2. Any future use and/or development of the subject lands may occur only in accordance with local land use planning and zoning laws and regulations.

2.1 No Action Alternative (No Sale of Federal Lands)

The subject lands would remain as federal public lands under the no action alternative, and be subject to all applicable land laws and regulations, including if applicable, mining and recreation. Because the lands were identified for disposal to serve important public objectives, including but not limited to, expansion of communities, per the Federal Land Policy and Management Act of 1976, BLM has already identified these lands for disposal. Therefore, these lands would remain at risk for unauthorized uses, including, among others, unauthorized use by off-road vehicles that create an adverse impact to air quality, unauthorized dumping of construction and other debris creating unsightly and possible nuisance and hazardous conditions.

2.2 Alternatives Considered but Dropped From Further Consideration

Divide Parcel N-78917 consisting of 582.82 Acres into Smaller Parcels

The BLM considered an alternative that would divide the approximately 582.82 acre parcel, N-78917 within the Town of Laughlin into smaller parcels. However, BLM determined that while this alternative would still provide land for local community development, it would not be in a manner consistent with local government planning and zoning requirements and recommendations in this instance. Currently, the Town of Laughlin envisions a master planned community development once the land is transferred out of federal ownership. To offer the land in smaller parcels may create a situation where numerous developers could acquire title to various parcels. The Town of Laughlin's master planned community concept would be

facilitated by the town having to deal with only one potential landowner as opposed to numerous landowners immediately following the sale. Throughout the joint selection process, the Town of Laughlin consistently identified its desire to have these specific +/-582.82 acres sold as one parcel. It is BLM's determination that splitting the +/-582.82 acres in smaller parcels does not meet the purpose and need for disposing of land consistent with local land use planning and zoning requirements and recommendation.

3.0 Affected Environment

A. Botany

The subject lands are dominated by a Creosote-Bursage Community which is a component of the Mojave Desert Scrub Ecosystem. It is principally dominated by creosote (*Larrea tridentata*) and white bursage (*Ambrosia dumosa*). Primarily associated shrub species include, mormon tea (*Ephedra* spp.), indigo bush (*Psoralea fremontii*), shadescale (*Atriplex confertifolia*), hopsage (*Grayia spinosa*), desert thorn (*Lycium* spp.), ratany (*Krameria erecta*), and burro bush (*Hymenoclea salsola*).

A few sparsely vegetated ephemeral washes dissect sections 8 and 17. The vegetation in these washes is typically dominated by desert willow (*Chilopsis linearis*) and a few scattered catclaw acacia (*Acacia greggii*).

Other associated species include prickly pear (*Opuntia basilaris*) and staghorn cholla (*Opuntia acanthocarpa*).

Since the land will be permanently conveyed to the proponent, no cacti and yucca evaluation and salvage will be required. This recommendation is consistent with other permanent land conveyances.

The State of Nevada Natural Heritage Program maintains current inventory and databases on locations, biology and conservation status of all threatened, endangered and sensitive species and biological communities in the state. BLM searched this data base and determined there were no plants of concern state or federal within the Laughlin Disposal Area.

B. Threatened and Endangered Species

Threatened and Endangered Species are species that are either, federally listed as threatened or endangered, or are species that are being proposed for such listing. There is also the historic category of candidate species that have been proposed for special consideration before the passage of the Endangered Species Act.

Data from the Nevada Natural Heritage Program and BLM indicate that one threatened species, the desert tortoise (*Gopherus agassizii*), is known to occur within the Laughlin disposal boundary. The desert tortoise (Mojave population) was listed as threatened in 1990. In the Mojave Desert, the tortoise has the potential to occur in Mojave creosote bush scrub, creosote bursage complex, Mojave mixed scrub, and salt desert scrub. The desert tortoise primarily

forages on annual wild flowers and native desert grasses. There is no designated critical habitat for the tortoise within the disposal boundary area. Relative density estimate surveys for the species indicate that population densities range between low (11 to 44 per square mile) on the west side of the disposal area to moderate (45 to 90 per square mile) on the east side.

On August 24, 2004 a survey was conducted for possible western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) and Yuma clapper rail (*Rallus longiosteris yumanensis*) habitat within the disposal area. These species are a federal candidate for listing and a federal species of concern respectively. Both species require riparian areas. The cuckoo breeds along rivers and streams where mature stands of cottonwoods or willows are present. The Yuma clapper rail is found in areas with cattails and rushes that develop a canopy over standing or slow moving water. No habitat of this type was found within the Laughlin disposal boundary. Only dry ephemeral washes and upland scrub were found within the disposal area.

C. Migratory Bird Treaty Act

Most birds are protected by the Migratory Bird Treaty Act of 1918 and subsequent amendments (16 U.S.C. 703-711), that makes it unlawful to take, kill, or possess migratory birds. A list of those protected birds can be found in 50 CFR 10.13. Surveys for migratory birds, other than special status species, were not conducted in support of the Laughlin land sale. Migratory birds that are known to associate with the creosote-bursage scrub plant community include the horned lark, common raven, black-throated sparrow, phainopepla, and the burrowing owl.

D. Wildlife

The BLM parcels within the Laughlin disposal boundary contain a variety of habitats that support numerous wildlife species. The term wildlife here refers collectively to mammals, birds, fish, amphibians, and reptiles. The BLM parcels differ in levels of disturbance but overall they are generally undeveloped lands with the exception of Section 14 in the southeastern corner.

Species specific surveys were not conducted for common wildlife within the disposal boundary. Species that are typically found within this type of habitat, include: black-tailed jackrabbit (*Lepus californicus*), desert pocket mouse (*Chaetodipus penicillatus*), Merriam's kangaroo rat (*Dipodomys meriami*), greater road runner (*Geococcyx californianus*), horned lark (*Eremophila alpestris*), common raven (*Corvus corax*), black-throated sparrow (*Amphispiza bilineata*), side blotched lizard (*Uta stansburiana*), western whiptail lizard (*Cnemidophorus tigris*), and the Mojave green rattlesnake (*Crotalus scutulatus*). For a list of species found within the Las Vegas Field Office jurisdiction, which includes the Laughlin disposal boundary area, see the Las Vegas RMP/FEIS dated October 1998.

E. BLM Sensitive Species

Another listing for special status species is the BLM sensitive category. These may be species that are listed or proposed for listing by a state or county in a category that implies potential endangerment or extinction. This is above and beyond those species listed as threatened and endangered by the US Fish & Wildlife Service.

The BLM is mandated to protect and manage threatened, endangered, candidate, proposed, and sensitive plant species and their habitat. The BLM is also required to protect and manage sensitive species jointly identified with the appropriate state agency.

There are three BLM sensitive wildlife species (not including federally listed species known to occur within the disposal area: phainopepla (*Phainopepla nitens*), western burrowing owl (*Athene cunicularia*) and desert bighorn sheep (*Ovis candensis nelsoni*). Phainopepla may occur throughout the disposal area within ephemeral washes and upland scrub areas supporting catclaw acacia plants. Burrowing owls may also occur throughout the disposal area, within the same habitats as desert tortoises. The western burrowing owl maybe found in the open, dry, Mojave desert shrub plant community that can be found on the Laughlin disposal boundary. This species commonly nests in abandoned kit fox, badger, or tortoise burrows and spends much of it's time on the ground or on low perches such as fence posts or dirt mounds. The burrowing owl may be found in the disposal boundary area. The western edge of T. 32 S., R. 66 E., Sections 8 and 17, contain bighorn sheep habitat. Additional bighorn sheep habitat occurs to the west of the disposal boundary within the Newberry Mountains.

F. Clark County Multiple Species Habitat Conservation Plan (MSHCP)

A state or county can list or propose to list a species which implies potential endangerment or extinction (Clark County MSHCP). The MSHCP provides for the protection of other species in addition to those listed and protected by Endangered Species Act, listed as sensitive by the BLM or by the State of Nevada. For a complete listing of these species see the Clark County Multiple Species Habitat Conservation Plan and Environmental Impact Statement dated September 2000.

G. Recreation

The public lands described in the proposed action are not within the Laughlin Special Recreation Management Area (RC-8) defined in the Record of Decision of the Las Vegas Resource Management Plan (RMP). The public lands within the proposed action are open to Off-Highway Vehicle (OHV) travel, limited to existing roads, trails, and dry washes. Special Recreation Permits are discretionary actions authorized by the BLM for special uses in accordance with the Federal Land Policy and Management Act of 1976, the Las Vegas Resource Management Plan (November 1998) and the Code of Federal Regulations section 2930. The BLM recognizes two distinct types of recreation uses: casual and permitted recreation.

The casual recreation is limited to existing roads, trails, and dry washes. The local community uses the proposed area for "backyard" access to public lands. Many public lands users enjoy hiking, running/jogging, bicycling, walking the dog(s), model airplane flying, shooting, and OHV uses. The public can access the Hiko spring from the western powerline roads. This area is frequented with day hikes and OHV activity.

The Division of Recreation and Renewable Resources authorizes a Special Recreation Permit for the annual SCORE International Laughlin Desert Challenge Off-Highway Vehicle event. This special permitted recreation event is in the 12th consecutive year and is sponsored by the Laughlin Chamber of Commerce and the local community. The Laughlin Chamber of

Commerce counts on this OHV event as a major tourism and economic boost to the community. Independent studies by the Laughlin Chamber of Commerce have indicated that the OHV event attracts approximately 35,000 visitors and over 9 million dollars to the local community. The SCORE International Laughlin Desert Challenge is the only Laughlin sponsored OHV event on public lands. The current location of the pit and spectator areas and the short race track for this event are within the disposal area.

H. Soils

Soils within the proposed sale area are generally gravelly and cobbly coarse sands and sandy loams that were derived from alluvium and colluvium parent materials. The soils are generally well drained to excessively drained. The soils are classified in the Las Vegas RMP as having low erosion susceptibility and moderate erosion condition.

I. Air Resources

The Clean Air Act requires federal agencies to ensure their actions conform to the appropriate State Implementation Plan (SIP). The SIP is a plan that provides for implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS) and includes emissions limitations and control measures to attain and maintain the NAAQS. Clark County, the air quality regulatory compliance oversight for the Town of Laughlin has two SIPs deemed complete by the U.S. Environmental Protection Agency (EPA) for Particulate Matter with a mean aerodynamic diameter of 10 µm or less (PM₁₀) and Carbon Monoxide (CO).

Land sales are exempt from air conformity determinations under EPA regulations. Certain federal actions are listed as exempt from the conformity determination requirements, and, under 40 CFR 93-153(C)(2)(xiv), “transfers of ownership, interests, and titles in land, facilities and real and personal properties, regardless of the form or method of the transfer,” are actions which are expressly made exempt.

Potential ozone impacts. EPA has recently announced its intention to designate all of Clark County as a “basic” 8-hour ozone nonattainment area. The “basic” nonattainment designation was made based on an average of three (3) year’s monitored ozone concentrations which marginally exceeded the applicable NAAQS. Other locations throughout the U.S. with more significant exceedances may be designated as “moderate,” “serious,” “severe” or “extreme,” which are more serious nonattainment designations. Clark County’s nonattainment designation was based on measurements just exceeding the NAAQS at a single monitoring location within the Las Vega metropolitan area during 2001-2003 (out of approximately 14) monitoring stations located throughout the County. Therefore, while EPA has determined Clark County to be in “Basic” nonattainment for ozone, it is recognized that the nonattainment is not “serious.”

As a result of this designation, it is a requirement that Clark County develops and submits an approved ozone SIP by 2009. Although there is little data currently available regarding ozone, the Town of Laughlin, by virtue of the EPA approved SIP study area, has become part of the nonattainment boundary for this criteria pollutant. In addition to ozone nonattainment area requirements, the Laughlin area is subject to Section 94 of the Clark County Air Quality Regulations (AQR) for dust control for construction activities. Stationary source permits for

oxides of nitrogen (NO_x) and volatile organic compounds (VOC; both ozone precursors) emissions are covered under Section 55 of the AQR. Other pollutants (such as sulfur dioxide (SO₂) and CO) from stationary sources are covered under the Prevention of Significant Deterioration (PSD) requirements of Section 12 of the AQR. Copies of the most current AQRs are available through the Clark County Department of Air Quality and Environmental Management (DAQEM)'s website at: http://www.co.clark.nv.us/air_quality/regs.htm.

Currently, Clark County is proceeding with six air quality studies:

- Ozone characterization study
- On road engine inventory
- VOCs emitted from the use of consumer products
- Biogenic emissions inventory
- Mobile source impact study
- Sodar to study ozone transport issues

Generally, the largest direct contributors to ozone impacts (because of their VOC and NO_x emissions which combine in strong sunlight to create ozone) are: (1) motor vehicle miles traveled; (2) gasoline stations; (3) dry cleaners; and (4) electrical generating stations. However, an area can also be impacted by ozone which is transported from distant urban areas, even from those located in other states. Based on monitoring data collected outside the Las Vegas urban area, Clark County officials have indicated that a large percentage of ozone within Clark County originated from areas outside of Clark County. One large contributor of ozone precursor emissions within Clark County (the Mohave Power Plant) is expected to be significantly modified or closed after 2006.

The Mohave Generating Station is a 1580 MW coal-fired power plant located just outside Laughlin, Nevada, approximately 75 miles southwest of the Grand Canyon (a mandatory federal PSD Class I area). It was built between the mid-1960s and early 1970s and emits up to 40,000 tons of SO₂ per year. It is considered one of the largest single sources of SO₂ in the West, second only to Washington State's Centralia Power Plant. Once control measures are implemented at Centralia, within the next few years, the Mohave plant would be the largest source of SO₂ in the western United States.

The Mohave Generating Station is operated by Southern California Edison, the majority owner of the plant. The Los Angeles Department of Water and Power, Nevada Power Company, and Salt River Project also own interests in the plant. Through a formal rulemaking process, the EPA will consider the results of Project Mohave, along with other available information to officially determine whether visibility impairment in the Grand Canyon is "reasonably attributable" to emissions from the Mohave Station.

Potential visibility impacts. National regional haze regulations require that if EPA finds visibility impairment in a mandatory federal PSD Class I area, such as the Grand Canyon National Park, to be "reasonably attributable" to a specific facility, such as the Mohave Generating Station, EPA must then determine and require the installation of appropriate

pollution control requirements. These requirements are known as “Best Available Retrofit Technology (BART).” This process would also include an opportunity for public comment.

On March 19, 1999, EPA released the final Project Mohave report, which presents to the public the results of this seven-year study to assess the impact that the Mohave Generating Station emissions have on the region and on the visibility at the effected Class I location, at the Grand Canyon. The final report can be accessed on the World Wide Web at <http://www.epa.gov/Region9/air/mohave/report.html>.

Potential Health Effects for CO, PM₁₀ and ozone. CO can reduce oxygen delivery to the body’s organs and tissue. The greatest threat is to those who suffer from cardiovascular disease. However, healthy people may also be affected at higher levels of exposure. Exposure to higher levels of CO is associated with visual impairment, reduced work capacity, reduced manual dexterity, poor learning ability, and difficulty in performing complex tasks. Extreme exposures can cause loss of consciousness and even death.

PM₁₀ has been linked to a number of health effects including aggravated asthma, increases in respiratory symptoms like coughing, difficult or painful breathing, chronic bronchitis, and decreased lung function. Young children, senior citizens, and people with existing asthma or heart and lung problems are especially susceptible to the effects of PM₁₀ pollution.

Ground-level ozone even at low levels can adversely affect everyone. It can also have detrimental effects on plants and ecosystems. Health problems attributed to ozone include irritation of lung airways causing inflammation, similar to sun burning skin. Other symptoms include wheezing, coughing, pain when taking a deep-breath, and breathing difficulties during exercise or outdoor activities. People with existing respiratory problems are most vulnerable, but even healthy people that are active outdoors can be affected when ozone levels are high.

Repeated exposure to ozone pollution for several months may cause permanent lung damage. Anyone who spends time outdoors in the summer is at risk, particularly children and adults who are active outdoors. Even at very low levels, ground-level ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to respiratory illnesses like pneumonia and bronchitis.

Ground-level ozone interferes with the ability of plants to produce and store food, making them more susceptible to disease, insects, other pollutants, and harsh weather. Ozone damages the leaves of trees and other plants, as well as deteriorating property in cities, national parks, and recreation areas. Ozone reduces crop and forest yields and increases plant vulnerability to disease, pests, and harsh weather.

Air Modeling Study.

In September, 2004, Argonne National Laboratory, Argonne, Illinois, conducted a comprehensive air modeling study for BLM of the cumulative air quality impacts of ongoing land disposition actions within the Las Vegas Valley. The study spanned a twenty year period from 1998 to 2018 using a state-of-the-art Eulerian dispersion model (Community Multiscale Air Quality [CMAQ]/Models-3), along with a fifth-generation prognostic mesoscale meteorological

(MM5) model to simulate influences of atmospheric physics and chemistry on pollutant transport and diffusion. The simulations included complex local terrain influences and addressed transport and diffusion of more than 70 air pollutants over multi-state regional to local scales.

While the study was focused primarily on the Las Vegas Disposal Boundary, the study contains relevant data that addresses regional Southern Nevada air quality issues, such as ozone formation and transport. Argonne's reference document is available to the public and accessible at the BLM Las Vegas Field Office.

J. Water Resources

Big Bend Water District (BBWD) supplies municipal water to Laughlin and is a member of the Southern Nevada Water Authority (SNWA). Big Bend Water District (BBWD) obtains all of its water from the Colorado River and has rights to withdraw 15,352 acre/feet per year from the river. BBWD has a contract entitlement to 10,000 acre/feet per year which was allocated in 1983. BBWD also has a right to an additional 5,352 acre/feet per year of SNWA return-flow credits as described in the SNWA 1995, Cooperative Agreement. Laughlin used about 4,922 acre-feet of water in 2004.

BBWD has sufficient existing capacity to treat and distribute additional municipal water resulting from the development of proposed sale parcels. The BBWD water treatment facility has a current system capacity of 15 million gallons per day (MGD). The existing system design allows for future expansion to 30 MGD. The peak daily water demand in 2004 for Laughlin was about 6.4 MGD, or about 43 percent of the current system capacity.

K. Floodplains

The proposed sale parcels are located on the Bridge Canyon alluvial fan. The Federal Emergency Management Agency (FEMA) has designated large areas of this fan as a Zone AO 100-year flood plain because it is subject to sheet flow conditions that may occur during periodic rainstorms of sufficient duration and intensity to cause surface runoff. Flow also may periodically occur in a system of ephemeral wash channels that drain the fan towards Laughlin and the Colorado River. These washes traverse the FEMA designated Zone AO 100-year flood plains, but none have been designated separately as 100-year flood plain areas by FEMA.

L. Cultural Resource Management

Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies take into account the effects of their undertakings on historic properties, which are those properties listed in or eligible for nomination to the National Register of Historic Places (NRHP). The Area of Potential Effect (APE) for this undertaking is passing out of public ownership and as such, the sales and conveyances are federal undertakings. A Class III inventory of the APE was conducted in compliance with Section 106 of the National Historic Preservation Act (NHPA) and followed the procedures set forth in Section VI and VII of the Bureau's State Protocol Agreement with Nevada State Historic Preservation Office (SHPO). Results of the inventory are detailed in BLM Cultural Resource Report 5-2508. Sixteen cultural resource sites were recorded during the survey. BLM determined all 16 sites were not eligible to the NRHP under any of the Secretary's

criteria. Nevada SHPO concurred with the BLM's determination in letters dated January 26, 2005, and January 31, 2005.

The BLM notified Native American tribes of the proposed sale in a letter dated November 9, 2005. Letters were sent to representatives of the Hualapai Tribe and Tribal Council, the Colorado River Indian Tribes, the Fort Mojave Indian Tribe, the Aha Makav Cultural Society of the Fort Mojave Indian Tribe, the Chemehuevi Indian Tribe, the Las Vegas Paiute Tribe, and the Moapa Band of Paiutes. On December 23, 2004, the Fort Mojave Indian Tribal Chairperson responded by telephone to the letter asking for an extension to the comment deadline. She also requested additional maps and information regarding the sale. The requested materials were sent out January 18, 2005. No additional comments were received from the tribes.

M. Hazardous Materials

“Hazardous material” means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.* (CERCLA), and its implementing regulations. The definition of hazardous substances under CERCLA includes any “hazardous waste” as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6901, *et seq.* and its implementing regulations. The term hazardous material also includes any nuclear byproduct material as defined by the Atomic Energy Act of 1954, 42 U.S.C. 2011, *et seq.* Environmental Site Assessments with CERCLA 120(h) determination are needed. Preliminary Environmental Site Assessments (ESAs) for all the 72 parcels have been completed. No hazardous materials were found.

Sale parcel N-78218 is encumbered by a communication site right-of-way. An Environmental Site Assessment (ESA) was prepared to determine if there were any Recognized Environmental Conditions (REC), as defined by American Society for Testing and Materials (ASTM) designation E 1527-00, on the site. The ESA did not identify any release of hazardous substances, but did determine there was a release of diesel fuel into the soil. This constitutes a REC. A removal of contaminated soil adjacent to surface structures occurred and by letter of December 2, 2002, Nevada Division of Environmental Protection (NDEP) determined that no further assessment or remediation was required at that time. NDEP identified the site as facility # H-000122. One surface structure was subsequently demolished and NDEP required further remediation. Additional soils were removed. By letter of October 25, 2004, NDEP determined that no further action was required at that time. NDEP specifically stated that, if additional structures are removed they should be notified. NDEP may then require removal of contaminated soils. Documentation of this can be found in BLM right-of-way file N-38471.

N. Visual Resources

The landscape is composed of a broad south facing alluvial fan that interfaces with the abruptly vertical north/south trending Newberry Mountains. The fan is dominated by a Mojave creosote bush scrub plant community. The steep mountain slopes are less densely vegetated with areas of bare rock exposed. There is a minimal amount of development distracting from the natural character of the immediate and surrounding landscape. Current developments consist of a high school with several structures and stadium lights; a power line with galvanized steel lattice

towers; a power line with wooden pole towers; barbed wire fences; and paved highway and roads. The proposed sale area is located within both a Visual Resource Management (VRM) Class II and Class III area. The Class II area comprises approximately 175 acres at the far western edge of the sale area. The remaining 1,883 acres is within Class III. As identified in the Las Vegas Resource Management Plan (RMP), Objective VS-1 is to “Limit future impacts on the visual and aesthetic character of the public lands.” Also, the RMP directs (VS-1a) that areas identified as Class II (RMP Map 2-9) are to be managed to retain the landscape’s existing character. In these areas, authorized actions may not modify existing landscapes or attract the attention of casual viewers. Within Class III areas, the RMP directs (VS-1b) that these areas (RMP Map 2-9) are to be managed for partial retention of the existing character of the landscape. In these areas, authorized actions may alter the existing landscape, but not to the extent that they attract or focus attention of the casual viewer.

Although the new land owner will not be subject to the limitations of BLM’s VRM Classes, the impacts on visual quality resulting from development of the land has been prepared (Appendix A).

O. Environmental Justice

Executive Order 12898 of February 11, 1994 states that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations in the United States. The subject lands are located in the western part of the town of Laughlin. The profile of Laughlin’s population by race is as follows (US Census Bureau 2000): Envision Laughlin Draft Report 2004 (Profile of General Demographic Characteristics).

Race	Percent
White	89.1
Black/African American	2.8
Asian	2.3
Native American/Alaskan Native	0.6
Native Hawaiian and Other Pacific Islanders	0.2
Other	2.7
Two or more races	2.3

P. Socioeconomic

Introduction and Population Characteristics¹

The southern area of Nevada and Clark County has been experiencing considerable population growth and community expansion over the past 10 – 15 years. Disposal of public land managed by the Bureau of Land Management has been occurring regularly in other parts of Clark County,

¹ Reference information sources for this section include the Laughlin, Nevada website; the Sonoran Institute’s Economic Profile System, developed for BLM under contract; and the Laughlin Land Sale Study, prepared by the Town of Laughlin, Nevada.

primarily, in response to the community expansion needs expressed by state, county, and local officials.

Between 1970 and 2002, the number of persons moving to and living in Clark County increased by 5.5 percent annually. The population of Clark County in 2002 is estimated at 1.5 million people. Over the last 32 years, county population growth has outpaced that of the state of Nevada and the nation.

Located along the Colorado River near the southern tip of the Nevada-Arizona border, Laughlin is 90 miles from Las Vegas, west of Kingman and Bullhead City, Arizona. It is also about 3-4 hours from Southern California and Arizona's metro population centers. Laughlin boasts a prevalence of sunny skies and an average temperature of 75.4 degrees.

In combination, Laughlin has a number of amenities that contribute to the enjoyment of the city's multitude of recreational activities. These activities range from water- and land-based recreation to gambling; all of which contributed to the community's economic viability and social character. The tourism industry in Laughlin brings in approximately \$1.2 billion annually, remarkable for a community of about 8,300 people.

Demographics

Laughlin's resident population is predominately white (90%), followed by black or African American (3%). Most of the resident population is in the 55 – 59 age categories, with about a 50/50 male/female split. In 1995, over 95 percent of Laughlin's population was born in a different state; 45 percent lived in a different county. Over 50 percent of Laughlin residents live in urban areas.

Housing

Of the 4,000 housing units in the community, seventy-seven percent are occupied; the vacancy rate is about 30 percent; slightly over 50 percent of the homes are rentals. About 12 percent of the units are used for seasonal or recreational use. Most new homes were built between 1980 and 1989; almost 1,000 new homes were built between 1999 and March 2000.

The housing affordability index (using an index of 100) is 101, suggesting that the median family can afford the median house; for rental homes, almost 25 percent of the median household income was paid in gross rent.

Employment, Income, and Workforce

Over the past 32 years, job growth in Clark County has outpaced that of the state and the nation; income has followed a like pattern.

The "Arts, entertainment, recreation, accommodation and food service" sector employs the most people (70%). The second ranking employment sector is the retail trade sector, employing about 7 percent of the working-age population. Over 75 percent of Laughlin residents work in town, with a commute time of less than 20 minutes.

Most Laughlin residents of working age earn in the range of \$25,000 to \$30,000; slightly more than 70 percent earn less than \$30,000. Only 2 percent of individuals earned more than \$100,000. Per capita income in 1999 was \$21,097; median household income was \$36,885 (full and part-time employment).

Most income is derived from wage or salary income (68%); 26 percent is derived from retirement, social security, or from investments – only a slight (0.1%) of income was derived from public assistance income.

Seventy percent of residents work 50 to 52 weeks per year and about 20 percent work less than 40 weeks per year; most residents work at least 35 hours weekly. Fifty-three percent of households had 2 or more workers.

Tax Base

According to a recent study published by the town of Laughlin, property values and thus, community fiscal health, has been negatively impacted due to the lack of community growth and private development activity. According to the report, “property today in Laughlin is worth significantly less than it was fourteen years ago!”

Education

The majority of residents have a high school education and have attended some college; over 10 percent have a college degree or greater.

Poverty

Ten percent of individuals had income below the poverty line in 1999. The family type with the highest poverty rate is “Female – No Husband” at 73 percent.

Q. Land Availability for Development

Clark County, Nevada encompasses nearly eight thousand square miles of land within the southern tip of the state of Nevada. One of seventeen counties located in Nevada, Clark County contains five incorporated cities, fourteen unincorporated town advisory boards, and six citizen advisory councils, along with numerous other communities. The county government is responsible for providing regional and municipal services to residents in the unincorporated portion of the county, much as a city or town does. Due to a vast amount of public lands, the town of Laughlin is currently in anticipation of development. This will be Laughlin’s first major expansion opportunity in several years.

The Laughlin Disposal Area contains 4,720 acres of lands potentially available for disposal. The number of acres remaining in the Laughlin Disposal Area after the sale would be 2,661 acres. Of the 2,661 acres remaining, 960 acres are withdrawn to the Bureau of Reclamation for other purposes leaving a remainder of 1,701.00 acres. The 1998 Las Vegas Resource Management Plan identified 960 acres of land under withdrawal to the BOR that could be available for disposal. However, these lands cannot and will not be disposed of unless relinquished by the BOR.

4.0 Environmental Impacts of the Proposed Action

A. Summary

Critical Element	Affected		Critical Element	Affected	
	Yes	No		Yes	No
Air Quality	X		Native American Religious Concerns		X
ACECs		X	T & E Species	X	
Cultural Resources		X	Wastes, Hazard/ Solid	X	
Environmental Justice		X	Water Quality	X	
Farmlands, Prime/Unique		X	Wetlands/Riparian Zone		X
Floodplains			Wild and Scenic Rivers		X
Noxious Weeds		X	Wilderness		X

B. Description of Impacts for the Proposed Action

It should be noted that the act of transferring title to real property causes no direct impacts to the environment. All impacts to the environment analyzed under this EA are indirect impacts. All actual development will be subject to local government approval, including permits for construction projects. BLM has no control over any future development of the land once privatized. However, NEPA requires that indirect and cumulative impacts of a proposed action to be analyzed. The cumulative impacts are analyzed near the end of this section. Because BLM has no control over future uses or development of the land, BLM has made certain assumptions based on coordination with Clark County and the Town of Laughlin regarding development in order to analyze the indirect impacts of future potential development. In many instances, BLM's assumptions take a conservative approach to quantifying environmental impacts.

For example, for impacts to water, BLM makes the conservative estimate that developed urban land uses 2.5 acre-feet per year, irrespective of whether the development is residential, commercial, industrial, etc.

C. Botany

Following the transfer of title, catclaw acacia/mesquite and other forms of vegetation that are present within the sale parcels would be impacted through development and increased levels of human access. The majority of the sale parcels are in undisturbed areas, therefore; impacts to the undisturbed land in and around the adjacent areas would occur. These impacts would be from bulldozers clearing the lands for new development. Of the 2058.19 acres being auctioned off for this sale, it is estimated that less than 100 individual acacia/mesquite plants will be impacted occupying approximately 2 acres.

The introduction of exotic species may occur if lands are left disturbed and not developed within a few years. However, long term establishment is unlikely as development reduces or eliminates the opportunity for invasive species to become established. Native area that are undisturbed are highly resistant to the establishment of invasive species.

D. Threatened and Endangered Species

Disposal of public land within the Laughlin disposal boundary would not have a direct impact on threatened and endangered species but the subsequent development and change in land use would have an indirect impact.

It is anticipated that disposal of this land will result in a loss of 2,058.19 acres of desert tortoise habitat and may result in harassment or mortality of approximately 300 desert tortoises. The proposed action is covered under the Programmatic Biological Opinion for Implementation of Multiple Use Activities within the Las Vegas Field Office (1-5-97-F-251). Through this consultation, the US Fish and Wildlife Service has determined that disposal of BLM lands authorized for sale in the RMP may adversely affect the threatened desert tortoise, but is not likely to jeopardize the species. Incidental take of desert tortoises once the lands become private property is covered under the Clark County Multiple Species Habitat Conservation Plan (MSHCP) and its associated Section 10(a) incidental take permit TE-034927-0. Fees for incidental take would be required of the land owners and paid to Clark County prior to disturbance of tortoise habitat as specified under the MSHCP. The proposed action will have a no affect on any other federally listed species or designated habitat.

E. Migratory Bird Treaty Act

There are no direct effects of the proposed action on the migratory birds. The indirect effects associated with the eventual development of these parcels on migratory birds are similar to those described for the phainopepla and burrowing owl. Construction activities associated with the Proposed Action would displace wildlife species. Nesting young may be injured or killed if vegetation is cleared during nesting season which is generally between March 15 and July 30.

The MSHCP identifies those actions necessary to maintain the viability of natural habitats in the county for approximately 232 species including migratory birds. While MSHCP addresses all 232 species, it proposes that 8 migratory bird species be covered by the Section 10(a) permit issued by the Service to Clark County. Incidental take of the following species is authorized under this permit: Phainopepla, yellow-billed cuckoo, southwestern willow flycatcher (*Empidonax traillii extimus*), American peregrine falcon (*Falco peregrinus anatum*), blue grosbeak (*Guiraca caerulea*), summer tanager (*Piranga rubra*), vermillian flycatcher (*Pyrocephalus rubinus*), and Arizona Bell's vireo (*Vireo bellii arizoniae*).

F. Wildlife

There are no direct effects of the proposed action on the common wildlife species. The indirect effects associated with the eventual development of these parcels on wildlife species would include the loss of habitat features like cover and forage. Also, the sale of the land and future development would lead to mortality or displacement during construction. Highly mobile species such as birds, jackrabbits, and coyote are less likely to be lost. In contrast, less mobile species such as reptiles, small mammals, and desert kit fox (*Vulpes macrotus*) are more likely to be injured or killed during future construction activities.

G. BLM Sensitive Species

Disposal of public land within the Laughlin disposal boundary would not have a direct impact on BLM sensitive species, but the subsequent development and change in land use would have an indirect impact. Under this alternative, activities may indirectly affect the special status wildlife species known to occur in the area on lands transferred into private ownership. Construction activities associated with the Proposed Action would displace wildlife species. Phainopepla and western burrowing owl nesting sites may be lost during development. Nesting young may be injured or killed if vegetation is cleared during nesting season which is generally between March 15 and July 30. Take of phainopepla on private lands is covered by the MSHCP Section 10(a) incidental take permit TE-034927-0. Bighorn sheep grazing habitat on the south east end of the Newberry Mountains may be lost following sale. This may reduce the carrying capacity of their range, affecting their herd sizes.

H. Recreation

The casual recreation will displace to public lands beyond the proposed disposal boundary identified in the Las Vegas Resource Management Plan as the Laughlin Special Recreation Management Area SRMA). The SRMA is open to OHV use on existing roads, trails, and dry washes. Casual recreationist will benefit from public lands being available to almost any type of use. Shooting, hiking, OHV, bicycling, etc can occur within the Laughlin SRMA. The SRMA is impacted by all activities and the proposed action will increase the duration and frequency and quantity of occurrence within the SRMA.

OHV racing like the SCORE International Laughlin Desert Challenge is also permissible in the Laughlin SRMA; however, the RMP decisions for the SRMA further limits this type of activity. OHV racing outside of the disposal boundary is subject to more strict guidelines, limitations and environmental requirements. The success of the OHV event is based on the current location of pit and spectator areas and the short race track the disposal area provides. OHV race enthusiast travel from around the country and from Mexico to race in this world renowned desert event. The town of Laughlin will lose a major tourism and economic boost to the Laughlin community. The SCORE International Laughlin Desert Challenge can not be supported by these limitations and most likely not be permitted in the Laughlin SRMA.

I. Soils

Impacts to the proposed sale parcels during the construction phase of development may slightly increase the soil erosion. Soil erosion occurs during construction when the protective vegetation and organic materials are removed. Excavation and fill stockpiles or grading can also create steep, erodible slopes. However, after a surface is prepared, applying water or other erosion control applications to the prepared surface can reduce erosion from wind. Erosion can be limited through the use of best-management practices during the construction activities and will be somewhat less than current conditions after the subjects parcels are sold and fully developed. Therefore, dust emissions are a short-term concern. Casual use will cease and soils will become stabilized due to the engineering landscapes.

J. Air Quality

Emission Factors

Air pollutant emission factors are used to estimate the amount of pollutant-specific emissions that are likely to occur based on vehicle miles traveled, vehicle exhaust, vehicle road dust, natural gas use (hot water and furnace), electricity use (power plants), and developed property fugitive dust. Construction emission estimates are not included as part of this analysis because the impacts are temporary, and are very site-specific. The emission estimates projected in the analysis are additive if the land is actually developed as assumed. The calculated emission factors for each criteria pollutant/land use are provided in the units of measurement of tons/year in Table 1.0.

Table 1.0 Air Pollutant Inventory Emissions Factors (tons per acre)

Criteria Pollutant	Single Family Home	Office Building	Convenience Store	Apartment Complex	Moderate Casino	City Park
CO	0.37 T/ac	0.29 T/ac	5.40 T/ac	1.37 T/ac	1.06 T/ac	0.01 T/ac
NO_x	1.14 T/ac	0.86 T/ac	8.77 T/ac	4.35 T/ac	2.55 T/ac	0.02 T/ac
SO₂	0.08 T/ac	0.07 T/ac	0.17 T/ac	0.32 T/ac	0.15 T/ac	<0.01 T/ac
VOC	0.23 T/ac	0.25 T/ac	6.82 T/ac	0.94 T/ac	1.05 T/ac	0.01 T/ac
PM₁₀	0.44 T/ac	0.45 T/ac	8.72 T/ac	1.62 T/ac	1.50 T/ac	0.08 T/ac
PM_{2.5}	0.16 T/ac	0.14 T/ac	1.85 T/ac	0.54 T/ac	0.41 T/ac	0.03 T/ac

Assumptions

Several Assumptions were made to assist in the air emission analysis. These assumptions include the designation of projected future land uses and the anticipated duration for development of these lands.

Land Use

The evaluation of emissions for this land sale assumed current lands are converted to the following alternate land uses: single family homes; apartment complexes; office buildings; convenience stores; and city parks/public spaces. There are no moderate casinos planned for development. The percentage of the total land sale acreage assigned for each land use, as provided by the City of Laughlin, is shown below in Table 2.0. The total acreage associated with each land use is based on this assigned percentage.

Table 2.0**Expected Development of 2059 Acres**

Development	Percentage of Acreage	Acres
Single Family Residential	65% (Low SF 396 + High SF 941)	1337
Multi-Family Residential	12% (Med 118 + High 139)	257
Commercial (Convenience Store)	6%	124
Office Buildings	4%	82
Public Facilities (Parks/Schools)	13% (Parks 134 / Schools 125)	259
	Total Acres	2059

The above table is based on the expected development and remains consistent with potential build out possibilities. For purposes of this analysis, BLM will assume that all 2059 acres will sell and be developed within a 5-year time frame.

Based on existing development near the parcels, it is reasonable to assume that many of the parcels in the proposed action will be developed as single-family homes, apartments, etc. The assumptions made in this analysis for the 2059 acres are derived from the Laughlin Land Sale Study, 2005.

Table 3.0**Demographic Factors****BLM Land Sale Population Calculation – 2059 Acres Total**

Total Population = 36,481

DENSITY	ACRES	UNITS	DWELLINGS	RATIO	POPULATION
Low – Single Family (SF)	396	2 DU/AC	792	2.71	2,147
Medium – SF and Multi Family (MF)	941	8 DU/AC	7,528	2.71	20,401
High – SF & MF	118	18 DU/AC	2,124	2.12	4,053
High – MF	139	32 DU/AC	4,448	2.12	9,430
Commercial	206	N/A	N/A	N/A	N/A
Schools / Parks	259	N/A	N/A	N/A	N/A
TOTALS	2,059	---	14,892	---	36,481

Single Family Residential Acreage (396 + 941) = 1337 Acres = 65%

Multi Family Residential Acreage (118 + 139) = 257 Acres = 12%

Commercial (Office Buildings & Shopping Centers) Acreage = 206 Acres = 10%

Public Facilities Acreage (Parks 134 + Schools 125) = 259 Acres = 13%

No Hotel/Casinos are planned for the BLM land. The Laughlin land use that allows for Hotel/Casino use is Commercial Tourist and it is generally located along Casino Drive approximately 2-4 miles away.

Table 4.0

BLM has used the most current information available to reasonably predict development scenarios (apartments, homes, office building, parks, convenience stores or moderately sized casinos) for the subject lands.

Criteria Pollutant Emission Estimates / 2059 Acre Land Sale

Criteria Pollutant	Single Family 65%	Office / Shopping 4%	Convenience Store 6%	Multi Family 12%	Moderate Casino 0%	Public Facilities 13%	Totals
Acres	1337	82	124	257	0	259	2059.00
CO	494.69	23.78	669.60	352.09	0.00	2.59	1542.75
NOx	1524.18	70.52	1087.48	1117.95	0.00	5.18	3805.31
SO2	106.96	5.74	21.08	82.24	0.00	2.59	218.61
VOC	307.51	20.50	845.68	241.58	0.00	2.59	1417.86
PM10	588.28	36.90	1081.28	416.34	0.00	20.72	2143.52
PM2.5	213.92	11.48	229.40	138.78	0.00	7.77	601.35

Currently, there are 4720 acres of BLM land in the Laughlin area disposal boundary. Of those 4720 acres, 960 acres are withdrawn to the Bureau of Reclamation and are included in the cumulative impact discussion. The remaining balance of land available for future disposal and development is approximately 1701 acres.

Based on the air quality impact analysis of potential air pollutant emission level changes, it is not likely that the land sale would cause an exceedance of the Air Quality standards, therefore no adverse impact to air quality. In addition, BLM will continue to participate with the air quality regulatory agency (Clark County Department of Air Quality and Environmental Management) to assure that BLM actions continue to comply with all applicable air quality laws, regulations, standards and implementation plans.

K. Water Resources

If the proposed lands are sold, the sale and potential development of the land will increase the demand for municipal water supplies. Big Bend Water District (BBWD) supplies the water in Laughlin, withdrawn from the Colorado River. BBWD is a member of the Southern Nevada Water Authority (SNWA). The amount of water currently available is sufficient for approximately a population of five times the current population. It is not possible to estimate the rate and magnitude of increase in the future water demands. However each urban acre developed consumes 2.5 acre-feet per acre year, based on historical water use patterns that do not reflect recent conservation efforts such as removing existing turf grass and landscape watering restrictions. Assuming similar water use patterns in Laughlin, the eventual development of 2,059 acres under this proposed sale will require an estimated maximum amount of 5,000 acre-feet of water.

Development of proposed sale parcels will convert the land use from predominantly natural areas to urban and residential. Soil disturbance during construction activities may temporarily increase the amount of sediment transport to the Colorado River, but not at quantities that pose significant environmental concern. Sediment can only be transported with surface-water runoff generated during rainstorms of sufficient intensity and duration. Such rainstorms do occur in southern Nevada, but are not frequent because of the arid climate. Best-management practices also can be implemented during construction to minimize runoff and sediment transport from construction sites. Development of the proposed sale parcels will increase the percentage of impermeable land surfaces and increase the rate and magnitude of surface-water runoff from existing natural conditions. Surface-water runoff from the proposed sale parcels drains into the Colorado River. Existing requirements to develop drainage plans and additional infrastructure should be sufficient to reduce impacts from increased surface-water runoff. Surface-water runoff from urban and residential areas also can transport undesirable chemical constituents associated with a variety of compounds used as fertilizers, pesticides, fuels and lubricants, and other industrial applications. Water quality in the Colorado River should not be degraded by surface-water runoff from the proposed sale parcels because dilution of runoff will occur as it enters the river system. Agencies such as SNWA and the Clark County Regional Flood Control District also have active community outreach programs to discourage practices that release contaminants to the environment.

L. Floodplains

Storm water is transported from the disposed lands to the Colorado River by existing ephemeral natural washes and drainages. Land development will increase the percentage of impermeable surface in the watershed which will increase the velocity, depth, and duration of the surface runoff. If not mitigated, increased runoff will increase erosion along washes and drainages with the frequency of major flood events. However, development projects usually include construction of flood control and detention facilities specific to the development or these facilities may be provided through regional authorities. Development of the lands will be contingent on approval of drainage plans submitted to Clark County. Developers must submit plans for addressing drainage from the proposed project as well as drainage into and out of the property. These plans are reviewed on a case-by-case basis. Additional amounts of runoff resulting from development of the disposed lands will be small in relation to the overall water budget of Lake Mohave and the Colorado River because the Laughlin area receives only about 4 inches of rain per year.

M. Cultural Resources

The subject lands proposed for the June sale have been physically inspected. A Class III inventory for the Area of Potential Effect (APE) for 72 parcels, totaling 2058.19 acres, was conducted in compliance with Section 106 of the (National Historic Preservation Act (NRHP)). Results of the inventory are detailed in BLM Cultural Resource Report 5-2508. Sixteen cultural resource sites were recorded during the survey. BLM determined all 16 sites were not eligible to the (NRHP) under any of the Secretary's criteria. Nevada SHPO concurred with the BLM's determination in letters dated January 26, 2005, and January 31, 2005.

BLM notified the Native American tribes of the proposed sale by letter dated November 9, 2004. Only one tribe responded by telephone requesting additional maps and information. The information was provided as requested. No additional comments were provided by the Tribes.

N. Hazardous Material Assessment/Inspection

The proposed action does not involve the use of hazardous materials on the site and will have no impact on any hazardous materials. The subject lands are proposed for transfer out of federal ownership by way of a competitive sale and have been physically inspected. A Phase I Environmental Site Assessment (ESA) has been completed. No evidence was found on the land to indicate that any hazardous substance was stored for one year or more or disposed of for one year or more on the proposed parcels. The ESAs were conducted on February 15 and 16, 2005 by BLM employees.

O. Visual Resources

Sale of the subject lands in itself would not impact the visual quality of the landscape. Development of the land, however, would cause a loss of the visual quality of the area. The degree of impact depends on the type and extent of development. It is anticipated that development would consist of new roads, housing developments, commercial development, recreation facilities, and schools. Visual resource analysis (Appendix A) indicates that throughout the sale area it can be expected that the visual features of the landscape for the elements of form, line, color, and texture would present contrast ratings of moderate to strong. A contrast rating of strong does not meet the objective of a Class III area and a rating of moderate or strong does not meet the objective of a Class II area.

P. Environmental Justice

The public lands surrounding the proposed subject parcels are undeveloped. There are no adverse direct or indirect impacts identified that would disproportionately affect minority and low income communities, thus no mitigation measures are necessary. An observation of the subject parcels led to the conclusion that there are no environmental justice issues relative to the sale of the proposed lands.

Q. Socioeconomic

Social Setting

The social fabric and character of Laughlin is not expected to change as a result of the land sale. Social changes too many western communities over the past 20 years have occurred due to the increases in population and diversification. Laughlin, being a relatively new community (since 1976) is no exception. While it was land-locked by BLM-managed lands and therefore, didn't respond to community expansion as rapidly as some communities, it has and will likely continue to change and diversify.

Population and Housing Needs

Population growth for the Laughlin, Nevada area as a result of the BLM land sale is projected to expand by about 36,000 persons; with an attendant increase in the number of housing dwellings

by about 15,000 units. Additional acreage will be used for new schools (7) and parks and commercial facilities.

Employment and Income

While exact estimates are not easily determined, the proposed land sale will generate additional opportunities for both short- and long-term employment opportunities. The construction industry typically hires a number of workers to develop home and retail sites and while these opportunities are typically short-term in nature, the resulting wholesale, retail, and government employment base will expand and such employment is considered long term.

Personal income will grow along with the employment opportunities and lead to long-term stability in economic well-being for both the community and the region.

Supporting Community Infrastructure

Transportation and Traffic

Concerns relating to additional traffic resulting from the full BLM land sale build-out are also identified as potential impacts. According to a recent, but undated report published by the Town of Laughlin, the increases in residential and commercial traffic would likely utilize the Needles Highway, which has been improved in sections and additional improvements are anticipated, suggesting that future impacts would be minimal.

Municipal and Industrial Water Supply

According to the Laughlin study, water resources and treatment capacity are sufficient to accommodate the additional population resulting from the BLM sale of public land.

Police and Fire Protection

Assuming no additional law enforcement staff is added to the existing force, the number of officers per resident is expected to drop to a ratio of 1 to 1,000, from 3.8 to 1,000 currently. The projected change is similar to that for the Las Vegas Valley and the City of Henderson.

The BLM land sale parcels are within a 5-minute response time for Laughlin Fire Department units. New development must supply adequate water for required fire flows; new construction plans area reviewed by Clark County for fire code compliance.

Medical Services

The town of Laughlin currently needs population growth to support the additional medical service providers to locate in the community. Currently, 3 doctors and support staff serve Laughlin.

Tax Base

Property tax rates in Laughlin are .8416, so additional private land (presumably public land disposed to the private sector through this land sale) that gets developed will result in additional local revenues that can be used to expand services and facilities as the needs arise.

Existing BLM Uses

Livestock Grazing

The area which encompasses these disposal parcels has been closed to livestock grazing, so no additional impacts to the agricultural sector in the area are apparent.

Recreation

While much of the existing passive and active recreational pastimes are expected to continue in some manner or another, the subject parcels have been used in the past as a staging area for a permitted off-highway-vehicle event. It is unlikely that this event can be relocated to other public lands in the vicinity; therefore an economic loss to the event promoter, the BLM (in terms of collected revenues) and the town of Laughlin may result. Tourism-based expenditures related to this OHV event are estimated at \$9 million dollars annually, which represents slightly less than one percent of the \$1.2 billion dollars of tourism-related revenues to the local community. This loss may be offset by future revenue-generating opportunities presented by economic expansion related to the development of the parcels.

4.1 No Action Alternative Impacts

In the no action alternative, BLM would not convey the subject lands, resulting in a lack of available land for construction in the Town of Laughlin. Therefore, the impacts of not meeting the defined need will be analyzed for the proposal. Based on the Laughlin Land Sale Study of 2005, "The Town of Laughlin has prepared over the past 12 years for the sale of this land by constructing new water and wastewater facilities, major transportation corridors, police, schools and public facilities that can serve approximately 22,000 new residents without taxing the existing infrastructure and public services. With the Laughlin's portion of the property tax rate being .8416, additional private land that gets developed will result in additional local (county and state) revenues that can be used to expand services and facilities as the need arises."

An impact of not selling federal public land in Laughlin is the loss of proceeds that are used for processing the land disposal program for sales and exchanges. If this source of funds were eliminated as a result of not selling this land, there would be fewer dollars available for use in the State of Nevada for educational purposes or for the construction of public roads. This would also affect the Federal Land Disposal Account which receives 96% of the proceeds of the sale. Other impacts of this alternative would include no land transferred to private ownership, which would result in maintaining the current tax base for local governments, thus reducing income from future taxes levied on private holdings. The much needed acreage for development could not be built as upon envisioned by the Town of Laughlin and Clark County.

It is possible that if BLM were to retain the subject lands in federal ownership, impacts from recreational use such as Off-Highway Vehicles (OHV) and target shooting would continue in this area. We would expect an increase in disturbance of vacant lands available for disposal in Laughlin because the lands would be open for public use. There is an abundance of public land available for recreation activities. As a result, there would be an increase of PM₁₀ once the surface was disturbed. We would not expect any increase in other category pollutants if the public lands are not developed.

Another impact of not selling public lands in the Laughlin area would be the possibility of the unlawful disposal of hazardous materials. This would result in expenditures of resources by BLM to clean up the damage which may possibly have an effect in decreasing the value of the public lands. Unauthorized dumping could be harmful to the environment.

Under this alternative, current management prescriptions and decisions would continue for the subject parcels, the land sale would not be held, and the growth potential and social and economic impacts – both positive and negative – would not occur.

4.2 Cumulative Impact Assessment

The geographic area considered for this analysis will be the Laughlin Disposal Area unless otherwise noted. Laughlin Disposal Area is where the community development will occur over the next 10 years.

BLM does not consider the sale of the subject lands as a growth inducing action. Laughlin would experience very minimal growth without the release of land by BLM at auction. BLM has presented a detailed analysis in both the environmental consequences section and the cumulative impacts analysis of this EA. One basic assumption is that most lands identified herein will be developed, with some land remaining in a natural state.

The defined timeframe for what can be considered reasonable and foreseeable for disposal in the original Laughlin disposal boundary will be within the next ten years based on the most recent Laughlin 2004 report “Envisions”. Due to the lack of available private land, the town of Laughlin is currently near capacity for development. However, with the proposed Emerald River Riverfront Project on South Casino Drive, and the possibility of privatizing up to 2,000+ acres at the June, 2005, BLM land auction, Laughlin will have its first major expansion opportunity in many years.

Past Disposal Actions

The Bureau of Land Management has no past disposal properties recorded for Laughlin, Nevada.

Recently there was a land sale of 110 acres in Laughlin, NV. The Colorado River Commission (CRC) sold this land to Riverside Development LLC for \$13 million. Most of this land is intended for residential development.

Present Disposal Action

The present disposal action includes 72 parcels consisting of approximately 2,058.19 acres of land. On January 20, 2004, the Board of County Commissioners accepted and endorsed the nomination of these lands (T. 32 S., R. 66 E., Sections 8, 9, 15, 16 & 17) for sale. The Town of Laughlin and Clark County with the assistance of the BLM, established parcel sizes and locations to best meet the needs of the public demand.

Reasonably Foreseeable Future Disposal or Development Actions

There is 1,701 acres remaining within the disposal area. According to the community development plan, building should occur within the next 2-10 years and continue out for a period of 20 years. The 960 acres withdrawn to the Bureau of Reclamation has a conceptual plan for recreational development for a golf course, day use plan and river-walk. It is expected that construction will begin in the next 2 years. In addition there is a 110 acre community current under construction on lands purchased from the Colorado River Commission that is primarily residential as services and stores are adequate to meet the current needs with this community included.

A. Botany

Disposal and future development of public land in the Laughlin area would result in the loss of most vegetation within the disposal area. The Laughlin disposal area encompasses approximately 4720 acres, of which 10 acres are very low density catclaw acacia/mesquite. It is estimated that there are over 40,000 acres of catclaw acacia/mesquite habitat in Southern Nevada. It is expected that all 10 acres within the Laughlin disposal area would be lost in 10 years or less.

B. Threatened and Endangered Species

Future development of public land would lead to the loss of a majority of the desert tortoise habitat within the Laughlin disposal area. It is expected that if tortoises are encountered, most would be relocated to the Desert Tortoise Conservation Center in accordance with the MSHCP. The USFWS determined that the disposal of up to 14,637 acres of BLM lands within Clark County disposal areas (outside the Las Vegas Valley) would not reduce appreciably the likelihood of survival and recovery of the Mojave population of the desert tortoise in the wild, or diminish the value of critical habitat both for survival and recovery of the desert tortoise because:

1. Most affected areas consist of very low- to low-density desert tortoise habitat (approximately 79 percent); and
2. The proposed project area does not include any areas recommended for recovery of the desert tortoise. The BLM is committed to conserve and protect recovery areas which occur on BLM -administered lands as required under section 7(a)(1) of the Endangered Species Act and as a cooperator in the Clark County MSHCP. In accordance with the desert tortoise recovery plan and the programmatic biological opinion, the BLM has imposed strict land-use controls within those recovery areas, as covered under the programmatic biological opinion.

C. Migratory Bird Treaty Act

Disposal and future development of public land will lead to the loss of a majority of the native vegetation within the Laughlin disposal area. It is not known at this time if migratory birds would continue to inhabit any native vegetation areas not developed over time. The Laughlin area is not likely to contain the majority of any species' population. The loss of 2,054 acres of habitat would represent a loss of approximately 0.06 percent of the 4,900 square miles of similar

habitat estimated to occur in Clark County; therefore, it is expected that the proposed action will result in minimal contribution to migratory bird population declines.

D. Wildlife

Disposal and future development of public land will lead to the loss of a majority of the native vegetation within the Laughlin disposal area. It is not known at this time if wildlife would continue to inhabit any native vegetation areas not developed over time. The Laughlin area is not likely to contain the majority of any species' population. The loss of 2,054 acres of habitat would represent a loss of approximately 0.06 percent of the 4,900 square miles of similar habitat estimated to occur in Clark County; therefore, it is expected that the proposed action will result in minimal contribution to wildlife population declines.

E. BLM Sensitive Species

Disposal and future development of public land will lead to the loss of a majority of the native vegetation within the Laughlin disposal area. It is not known at this time if phainopepla or burrowing owls would continue to inhabit any native vegetation areas not developed over time or developed areas. Burrowing owls have been known to relocate to man-made drainage structures in developed areas. Development of the parcels will likely result in increased human activity in or adjacent to the bighorn sheep habitat located west of the disposal area. Over time, this increased human presence may reduce the attractiveness of the area to the sheep, resulting in a loss of current habitat.

The loss of 2,059 acres of habitat would represent a loss of approximately 0.06 percent of the 4,900 square miles of similar habitat estimated to occur in Clark County; therefore, it is expected that the proposed action will result in minimal contribution to phainopepla, burrowing owl and bighorn sheep population declines.

F. Recreation

The cumulative impact area extends beyond the disposal area up to the foot hills to the west. Casual recreation will benefit from the disposal of the proposed public lands. The projected increase in population will create a demand on public lands for defined trail systems for motorized and non-motorized use. Recreation clubs and organizations will develop and visits to public lands will increase in group size and frequency. The social environment will flourish as a result of the proposed action.

An increase in casual recreation will adversely effect the environment. The causal recreation will disperse into areas that currently receive fewer visitors. The projected population increase resulting from the sale of the disposal lands will increase the numbers of OHV use on public lands from the local community. Near-by natural resources like Hiko springs and the petroglyphs viewing sites will see increase visitation and possibly pollution and degradation. OHV interference with wildlife migration and water sites will routinely occur. Camping, hiking, or other solitude activities will be pushed further away from Laughlin to provide the same experience that currently exists.

Permitted OHV events occurring in the Laughlin SRMA may interfere with the new population and could be forced to relocate based on health and safety concerns of the local community. Also increased popularity of the OHV events can create additional entrants and spectators which will place additional stressors on the natural environment. Other permitted events may benefit if event site relocation and users conflict do not interfere with the permitted event. Loss of 9 million dollars in tourism income represents less than 1% of the total 1.2 billion dollar tourism industry for the Town of Laughlin.

G. Air

The cumulative impact area is the hydrologic Basin 213 which includes Laughlin. For future impacts to air quality, BLM has analyzed two development scenarios and the impacts of those scenarios on the environment. This is because future land uses such as residential, commercial, industrial, etc., have different air emission impacts. BLM has no information that shows there is any meaningful difference to the impacts on other resources based on different development scenarios. Any development is expected to have the same general impacts to the remaining resources.

Finally, all future development would require conformance with SIP approved by EPA. The regulating agency would be required to ensure conformance with all provisions upon SIP approval so the federal standards would be met as projected.

Table 4.1

Criteria Pollutant Emission Estimates / 2021 Future Acre Land Sale And BOR Development Planning

Criteria Pollutant	Single Family 65%	Office / Shopping 04%	Convenience Store 06%	Multi Family 12%	Moderate Casino 0%	Public Facilities 13%	Totals
Acres	1106	68	102	204	0	1181	2661.00
CO	409.22	19.72	550.80	279.48	0.00	11.81	1271.03
NOx	1260.84	58.48	894.54	887.40	0.00	23.62	3124.88
SO2	88.48	4.76	17.34	65.28	0.00	11.81	187.67
VOC	254.38	17.00	695.64	191.76	0.00	11.81	1170.59
PM10	486.64	30.60	889.44	330.48	0.00	94.48	1831.64
PM2.5	176.96	9.52	188.70	110.16	0.00	35.43	520.77

Note: The 1701 acres in this table are the remaining acres of BLM managed within the original 4720 acre disposal boundary and the 960 acres which are Bureau of Reclamation land planned for recreation facilities.

The combined impacts from the proposed action and the potential future development is assessed below.

Regional Significance as Defined by the EPA

As demonstrated by the analysis, the proposed land disposal will not result in air emissions that are “regionally significant” under EPA regulations. EPA defines an action to have a regionally significant impact if air emissions will exceed 10% of the total regional emissions budget for a criteria pollutant.

Criteria Pollutant Emission Estimates For Cumulative Impacts Of Disposal of 4830 Acres

Criteria Pollutant	Single Family 52%	Office / Shopping 03%	Convenience Store 05%	Multi Family 10%	Moderate Casino 0%	Public Facilities 30%	Totals
Acres	2515	150	226	499	0	1440	4830.00
CO	930.55	43.50	1220.40	683.63	0.00	14.40	2892.48
NOx	2867.10	129.00	1982.02	2170.65	0.00	28.80	7177.57
SO2	201.20	10.50	38.42	159.68	0.00	14.40	424.20
VOC	578.45	37.50	1541.32	469.06	0.00	14.40	2640.73
PM10	1106.60	67.50	1970.72	808.38	0.00	115.20	4068.40
PM2.5	402.40	21.00	418.10	269.46	0.00	43.20	1154.16

Note: This table includes all 960 acres of BOR lands in the Public Facilities section and 110 acres of land sold by the Colorado River Commission to a developer for primarily residential building. Of the 110 acres, 72 were included in the single family home column and 38 acres in the multi family column. The overall picture for development of the available lands is weighted toward family and recreation opportunities.

Based on the Laughlin Land Sale Study the Town of Laughlin has a 20 year plan for future development, therefore to determine the yearly incremental increase in the criteria pollutants, the total would be divided by 20.

Based on the air quality impact analysis of potential air pollutant emission level changes, it is not likely that the land sale would cause an exceedance of the Air Quality standards, therefore no adverse impact to air quality. In addition, BLM will continue to participate with the air quality regulatory agency (Clark County Department of Air Quality and Environmental Management) to assure that BLM actions continue to comply with all applicable air quality laws, regulations, standards and implementation plans.

H. Water

The development of proposed sale parcels in Laughlin will incrementally contribute to the ongoing trend of population growth that has been occurring in the southwestern United States for many decades. Large metropolitan areas such as Las Vegas, Phoenix, and Southern California have experienced most of this growth, but lesser populated areas (such as Laughlin) also have experienced rapid percentage growth rates in recent years as well. Although Laughlin has sufficient water supplies to meet anticipated growth resulting from development of the proposed sale parcels, it is becoming increasingly difficult for communities across the region to obtain additional water supplies to meet increasing demands from population growth. The proposed action would require a maximum of 5,000 acre-feet per year of water for build-out and additional future demands would require 4,253 acre-feet of water based on the remaining 1,701 acres of lands within the Laughlin Disposal Area. The total demand from the BLM land disposal would be about 9,253 acre-feet per year. Laughlin has a contract entitlement to 10,000 acre-feet per year of Colorado River water. Additional demands for Colorado River in the Laughlin area may occur if the Bureau of Reclamation develops public lands it has withdrawn for recreational facilities. It is estimated that 300 acre-feet per year of water would be needed for these facilities, but recycled wastewater would be utilized instead of municipal water supplies.

Existing water supplies from the Colorado River system and most ground-water aquifer systems have been fully allocated or over-allocated to meet the increasing water demands associated with regional population growth. Additional water supplies needed to meet the needs of future growth are either scarce, exceedingly difficult to develop, or have the potential for unacceptable impacts to sensitive riparian and aquatic ecosystems. A variety of measures are being planned and implemented to ensure adequate water supplies are available for continued growth and protect water-dependent ecosystems within the foreseeable future. Examples of such measures include improving conservation measures, increasing water-reutilization programs, transferring agricultural water rights to municipalities, negotiating innovative intrastate water-sharing and water-banking agreements, constructing new pipelines and infrastructure needed to transport available water supplies in underdeveloped remote rural areas to populated areas, improving science capabilities to predict and monitor environmental impacts, and developing improved technologies to desalinate brackish ground water and sea water.

In summary the total demand on the entitlement of the 15,352 acre-feet of water currently available would be approximately 14,545 acre-feet at full build-out of the entire 4,720 acres, well within their current allocation. Even considering the potential water use for the 110 acre development, the water use would be 14,820 acre-feet, still below the water entitlement.

I. Visual Resources

The current open, natural character of the landscape would change to an urban landscape dominant viewshed as development continues in Laughlin. Initially cumulative impacts to the casual viewer would be expected to be unacceptable. Over time however, visual absorption capacity would be effectively increased thereby decreasing the overall viewer sensitivity to development.

J. Socioeconomics

Cumulative impacts of the Proposed Action are considered in the context of growth and development in Clark County and Laughlin, Nevada and adjoining Bullhead City in Mohave County, Arizona. This area has experienced considerable population growth and community expansion over the past 10 years or so. These trends continue today and are expected to continue for the foreseeable future. Growth and development has resulted in an increase in the number of commercial facilities and residential homes present in the region. Land parcels that are currently undeveloped retain an open space character, however, continued growth and demand for land will likely result in diminished open space values. Pressures for both open space and developable land are expected to increase in the future.

The Town of Laughlin Advisory Board, Clark County Planning Commission and the Board of County Commissioners have reviewed and approved the Riverside Developments LLC land use applications for the land purchased from the CRC.

4.3 Description of Mitigation Measures and Residual Impacts

Under the Biological Opinion, no mitigation fee is collected upon the sale of this land. The fees will be collected prior to development in accordance with the Clark County Multi-Species Habitat Conservation Plan.

4.4 Recommendation and Rationale

Recommendation:

It is recommended that the subject lands be offered for sale to the general public by auction under the authority of FLPMA and all other applicable laws and regulations.

The patents, when issued, will contain the following reservations to the United States:

1. A reservation of all leaseable and saleable mineral deposits in the land so patented, and to it, its permittees, licensees and lessees, the right to prospect for, mine, and remove the minerals owned by the United States under applicable law and such regulations as the Secretary of the Interior may prescribe, including all necessary access and exit rights.
2. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945.
3. All land parcels are subject to all valid and existing rights.
4. All land parcels are subject to reservations for roads, public utilities and flood control purposes, both existing and proposed, in accordance with the local governing entities Transportation Plans.
5. All purchasers/patentees, by accepting a patent, agree to indemnify, defend, and hold the United States harmless from any costs, damages, claims, cause of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the past, present, and future

acts or omissions of the patentee or their employees, agents, contractors, or lessees, or any third-party, arising out of, or in connection with, the patentee's use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee and their employees, agents, contractors, or lessees, or any third party, arising out of or in connection with the use and/or occupancy of the patented real property which has already resulted or does hereafter result in: (1) Violations of federal, state, and local laws and regulations that are now, or may in the future become, applicable to the real property; (2) Judgments, claims or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Other releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws; off, on, into or under land, property and other interest of the United States; (5) Other activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws are generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; or (6) Natural resource damages as defined by federal and state law. The covenant shall be construed as running with the patented real property and may be enforced by the United States in a court of competent jurisdiction.

Rationale:

1. The land is physically suitable or adaptable for the use and purpose proposed (43 CFR 2410.1(a)).
2. The land was nominated for sale by the Town of Laughlin and Clark County.
3. The recommendation to dispose of the subject lands is consistent with the RMP, and FLPMA, 43 CFR 2711.3-3, and all other applicable federal public land laws and regulations.

5.0 Persons/Agencies Consulted

Lisa Christianson, Air Quality Specialist, Las Vegas Field Office
Christina Lund, Botanist, Las Vegas Field Office
Everett Bartz, Wildlife Biologist, Las Vegas Field Office
Carrie Ronning, Wildlife Biologist, Las Vegas Field Office
Suzanne Rowe, Archaeologist, Las Vegas Field Office
Jeff Steinmetz, Environmental Protection Specialist, Las Vegas Field Office
Robert Wandel, Outdoor Recreation Planner, Las Vegas Field Office
Robert Bruno, Outdoor Recreation Planner, Las Vegas Field Office
Judy Fry, Supervisory Realty Specialist/Sales, Las Vegas Field Office
Manuela Johnson, Realty Specialist/Sales, Las Vegas, Field Office
Robert Boyd, Hydrologist, Las Vegas, Field Office
Donn Siebert, Wilderness, Las Vegas Field Office
Tom Crawford, Economist and Project Manager, Carson City Field Office
Jackie Brady, Town Manager, Laughlin

Deborah Murray, Community Development Manager, Laughlin
Scott Archer, Senior Air Quality Specialist, BLM/Denver, CO
Jeanne Wondra, Supervising Right-of-Way Agent, Clark County
Mitchell Hickman, Right-of-Way Agent, Clark County

6.0 References:

Las Vegas Resource Management Plan and Final EIS, BLM October 1998.
Laughlin Land Use and Development Guide, February 16, 1993
Envision Laughlin Draft Report 2004
Clark County 1988 Comprehensive Master Plan
BLM Laughlin Land Sale Study 2005

Appendix A

